

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
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)
)
v.) CASE NO.: 2:05-cr-119-MEF
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)
DON EUGENE SIEGELMAN and)
RICHARD M. SCRUSHY)

ORDER

This cause is before the Court on Defendant Don Eugene Siegelman's Motion to Adopt, *in Toto*, Richard Scrushy's Motion Filed Under Seal on or about November 9, 2006 (Doc. # 506). Although the motion could be more clear, it appears to be Defendant Don Eugene Siegelman's request to adopt the arguments made on November 9, 2006 in Defendant Richard M. Scrushy's Motion for Issuance of Subpoenas for November 17, 2006 Evidentiary Hearing (Doc. # 496). It is hereby ORDERED that Defendant Don Eugene Siegelman's Motion to Adopt, *in Toto*, Richard Scrushy's Motion Filed Under Seal on or about November 9, 2006 (Doc. # 506) is GRANTED to the extent that it seeks to adopt the arguments made by his co-defendant in that motion. However, the Court notes that on November 13, 2006, it entered an Order (Doc. # 499) denying all relief sought in Defendant Richard M. Scrushy's Motion for Issuance of Subpoenas for November 17, 2006 Evidentiary Hearing (Doc. # 496). Nothing in this Order is intended to grant any relief other than to allow Defendant Don Eugene Siegelman to adopt the unsuccessful arguments previously advanced by his co-defendant.

DONE this the 28th day of November, 2006.

/s/ Mark E. Fuller

CHIEF UNITED STATES DISTRICT JUDGE